

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

**In the Matter of COEYMANS MARINE
TOWING, LLC , d/b/a CARVER MARINE
TOWING AS OWNER AND OPERATOR
OF M/T MACKENZIE ROSE, (IMO No.
8968765), Her Cargo, Engines, Boilers,
Tackle, Equipment, Apparel, and App,**

NORFOLK AND PORTSMOUTH BELT
LINE RAILROAD COMPANY,

Consolidated Plaintiff/Claimant,

and

EVANSTON INSURANCE COMPANY,

Intervening Plaintiff/Claimant,

V.

JAMES MORRISSEY,

Defendant.

Civil Action No.: 2:24-cv-00407

consolidated with

Civil Action No.: 2:24-cv-00410

VERIFIED ANSWER TO VERIFIED AMENDED COMPLAINT IN ADMIRALTY

**JAMES MORRISSEY answers the VERIFIED AMENDED COMPLAINT IN
ADMIRALTY of NORFOLK AND PORTSMOUTH BELT LINE RAILROAD COMPANY
Document 15 in Civil Action No. 2:24-cv-00407) as follows:**

1. Neither ADMITS nor DENIES the allegations contained in paragraphs 1 and 2, but leaves those questions of law to the Court.

2. DENIES KNOWLEDGE OR INFORMATION SUFFICIENT TO FORM A BELIEF
AS TO THE TRUTH OR FALSITY of the allegations contained in paragraphs 3, 5, and 13

through 17.

3. DENIES the allegations contained in paragraph 4, and affirmatively states that Christopher L. Miller was the master aboard the vessel at the time of the allision, and that Defendant was the mate at the time.

4. ADMITS the allegations contained in paragraphs 6 and 7, except DENIES that the illustration fully and accurately depicts the view of the approach before the allision.

5. ADMITS the allegations contained in paragraph 9, but affirmatively states that the western side of the channel was partially restricted by other vessel traffic at the time.

6. DENIES the allegations contained in paragraphs 8, 10, 11 and 12.

7. ADMITS the allegations contained in paragraph 10, but affirmatively states that the western side of the channel was partially restricted by other vessel traffic.

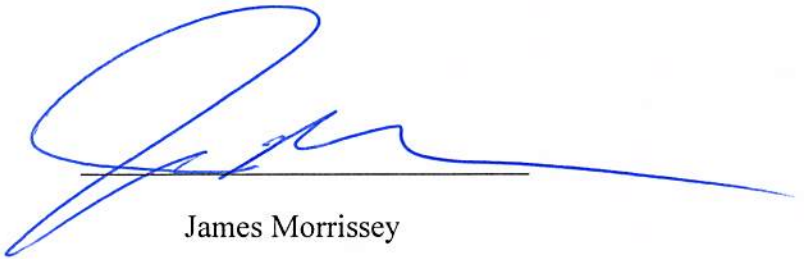
8. DENIES the allegations contained in paragraph 12, and affirmatively states that Defendant was not the master and had neither the duty nor the permission of the master to notify the Coast Guard.

VERIFICATION

I, James Morrissey, am the Defendant in this action. The factual allegations made in the foregoing Verified Answer are true based upon my own personal knowledge, except as to those matters therein stated to be alleged upon information and belief, and, as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/12/25



James Morrissey

AFFIRMATION OF SERVICE

James Morrissey, hereby affirms and declares under penalty of perjury that on the 12th day of May, 2025, he served the annexed

VERIFIED ANSWER

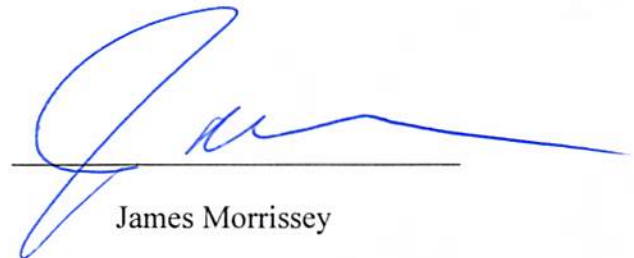
upon:

Zachary M. Jett, Esq.
Butler Weihmuller Katz Craig LLP
11525 N. Community House Road, Suite 300
Charlotte, North Carolina 28277

by causing a true copy of same, securely enclosed in a sealed envelope, to be sent via Priority Mail to the above address.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/12/25



James Morrissey